THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

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WRIT PETITION NO: 4515 of 1996

FRIDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

Between:

S.R.V.Rajyalaxmamma.

.. petitioner

and

The District Collector, Krishna and others. .. respondents.

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO.4515 OF 1996

ORDER:

Claiming that she is the successor to the estate of Raja of Mutyala and is in possession and enjoyment of his palace known as 'Kota' and its adjoining land, and that respondents 1 to 3, with the help of fourth respondent, are trying to distribute pattas in respect of the said land in favour of respondents 5 to 16 and others, by forcibly evicting her, petitioner filed this petition for an order restraining respondents 1 to 4 from granting pattas to respondents 5 to 16 and others, in respect of the land adjacent to the 'Kota'.

Third respondent filed his counter affidavit, on behalf of respondents 1 to 3, alleging that Mutyala is an estate village and so, after the abolition of estates and as the advent of the A.P. (Andhra Area) Estates Abolition Act, the entire land is in Mutyala

stood vested in the government and that the averment that the third respondent, who is the Sarpanch of the Grampanchayat of Mutyala, got passed a resolution recommending grant of pattas in respect of the land adjacent to Kota in favour of respondents 5 to 16 and others is not correct, as no such resolution was received in his office, and that respondents 1 to 3 are not intending to grant any pattas to anybody in respect of the said land.

Since petitioner came to Court with an apprehension that respondents 1 to 4 are going to distribute pattas in respect of the land adjacent to the Kota, and since in the counter affidavit filed by the third respondent on behalf of respondents 1 to 3 he stated that no pattas are going to be issued in favour of anybody, the apprehension of the petitioner is but illusory and so there is no need to grant any directions to respondents 1 to 4 in respect of the land adjecent to 'Kota'.

Since title of the petitioner to the land adjacent to the 'Kota' is being disputed by respondents 1 to 3, petitioner is at liberty to take such proceedings as are open to her to establish her title, if she so desires.

With the above observations, the writ petition is disposed of. No order as to costs.

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09.9.2005

mdaa.